

HEARING OFFICER NAME: Barry Keller

ASSIGNED OFFICE: Harrisburg

[WCOA-Judges-Office-Contacts \(pa.gov\)](#)

Fee Review Hearing Officer Procedural Questionnaire

Workers' Compensation Automation and Integration System (WCAIS) is the official repository for all documents related to a Dispute (matter pending) before a Hearing Officer. All documents, including evidence and briefs, that would have been submitted to a Hearing Officer by mail or in person prior to WCAIS should be uploaded into WCAIS. If Social Security numbers appear on any such document, the first five numbers should be redacted before the document is uploaded, unless otherwise specified below. Requests, such as Requests for Continuance, Subpoenas, and Extensions of time to file briefs, should also be made through WCAIS.

Table of Contents

- A. [First Event/Hearings](#)
- B. [Witnesses/Exhibits](#)
- C. [Stipulations](#)
- D. [Close of Record/Briefs](#)
- E. [Voluntary Mediation](#)
- F. [Requests/Miscellaneous](#)

First Event/Hearings:

1. What is the first Event (i.e., pretrial, hearing, conference call) and what will occur at the first Event with the Hearing Officer?

Pretrial virtual hearing

2. Are any filings or documents required at the first Event with the Hearing Officer? If so, what are they?
No

Further explanation:

[Click here to enter text.](#)

a. Should such filings or documents be uploaded as Exhibits or as Documents?
N/A

Further explanation:

[Click here to enter text.](#)

3. Are you willing to allow counsel to participate in hearings by telephone?

Yes

Further explanation:

All hearings are conducted virtually through Microsoft Teams. Attorneys are not required to be on video unless testimony is being conducted.

4. What factors will you consider in deciding whether to conduct a hearing in-person?

No in person hearings will be conducted. All hearings will be held virtually.

5. What procedure do you follow if a party fails to appear at an Event?

A letter will be uploaded into WCAIS advising the party of the next hearing. Failure to appear at the next hearing may result in dismissal.

Witnesses/Exhibits:

5. What are your rules regarding the taking of testimony?

a. Do you prefer the testimony be taken at a hearing or by deposition?

Video hearing

b. If counsel wishes to call a witness at a hearing, do you require prior notice? If so, how much notice do you require?

Yes

Further explanation:

Notice should be given of witness testimony at least 45 days prior to the hearing date. Notice shall be provided to my secretary for scheduling purposes.

7. Do the parties need to upload the Bureau documents as exhibits or will they automatically be made Hearing Officer Exhibits?

Hearing Officer Exhibits

8. Do you require that counsel upload exhibits to WCAIS before or after the hearing? If before, what is the latest day before the hearing that they may be uploaded?

Before

Further explanation:

48 hours minimum

9. Do you require counsel to bring hard copies of the exhibits to in-person hearings?

N/A

10. When will you rule on objections to exhibits?

Most objections will be ruled upon during the hearing. For depositions, objections will be ruled upon in the Decision.

11. What is your procedure for handling discovery disputes. For example, do you employ telephone conferences or prefer to attend certain depositions virtually?

To be discussed at the hearing or by telephone conference.

12. Will the Hearing Officer allow the parties to present written argument with respect to timely made objections?

Yes

Stipulations:

13. Please provide the following information regarding Stipulations resolving Disputes:

a. What are your usual procedures regarding the submission, review, and adoption of such Stipulations?

All stipulations shall be uploaded into WCAIS.

b. What other exhibits should be uploaded as part of the Stipulation or as separate exhibits (i.e., medical bills, etc.)? Please indicate whether they should be uploaded as part of the Stipulation or as separate exhibits.

Depends upon the type of stipulation and what the parties agree on.

c. When should the social security number and other confidential information be redacted from the Stipulation?

Always

d. Do you have any other procedures for Stipulations not described above? If so, what are they?

Close of Record/Briefs:

14. Are you willing to close a case by electronic submission via WCAIS or is a final hearing required?
electronic submission

15. What are the time requirements for the submission of briefs and other post-hearing submissions? Do you have any procedure if the briefs or post-hearing submissions are not received in a timely manner?
This will be addressed at the final hearing.

16. Please describe your preferences for the format and content of briefs and post-hearing submissions. I
leave this up to the respective attorneys to decide.

Voluntary Mediation:

17. Are voluntary mediations available upon request?

Yes

If so, who conducts the mediations?

All mediations are conducted by an assigned WCJ.

Requests/Miscellaneous:

18. How far in advance do you require Requests for continuances, changes in hearing times, and extensions to be uploaded into WCAIS?

24 hours

19. Do you conduct off the record conference calls?

20. Do you accept faxes from the parties? If so, under what circumstances?

Yes

Further explanation:

E-mail is preferred.

21. Do you accept e-mails from the parties? If so, under what circumstances?

Yes

Further explanation:

Requests should be submitted in WCAIS

23. Do you adhere strictly to duration listed for a hearing or are you willing to go over the allotted time?

Further explanation:

If more than 20 minutes are required for a hearing, please contact my secretary as soon as possible to request more time.

24. What is the best way to contact you in an urgent/emergency situation?

E-mail

25. What is your snow/emergency cancellation policy (i.e., do you follow a specific school district closing schedule, etc.)?

All information will be posted on the WCAIS system.